

Crime Laboratory Commission Meeting

June 13, 2012

Department of Attorney General

150 South Main Street

Providence, RI

3rd Floor Conference Room

2:10 PM

In attendance were Gerald J. Coyne, Deputy Attorney General, Rhode Island Department of Attorney General; Director Dennis Hilliard, Rhode Island State Crime Laboratory; Dean Ronald Jordan, University of Rhode Island; Kenneth DeMarco, Rhode Island State Police; Clay Choquette; Nancy Haley; and Robin Smith Rhode Island Department of Health Forensic Science Laboratory.

I. INTRODUCTION

A. Welcome to Commission Members

Deputy Attorney General Coyne on behalf of the Attorney General welcomed Commission members and called the meeting to order at 2:10 PM.

B. Approve Minutes of August 17, 2011

A correction on Page 2 line 4 change Commissioner Hilliard to Director Hilliard in the minutes from the March 27, 2012, was noted and will be changed. A motion to approve the minutes with

this correction was made by Gerald Coyne, Clay Choquette seconded. All were in favor and the minutes were approved.

II. FUNDING

A. Budget FY 2012

a. FY 2012 Budget to date

Director Hilliard passed out handouts for FY 2012, along with a copy of the State Budget for FY 2012. FY2012 also includes a balance due from

FY 2011. Right now it looks like we will not have a deficit as originally predicted, but instead will have a surplus. The surplus is due to two factors. The first is that we had included a 3% COLA in our original budget and this was not approved. The second reason was that Health care costs were less than projected due to being subsidized by a federal grant. So instead of looking at a \$26-27,000.00 deficit right now we are looking at a \$10,000.00 surplus. If we cannot spend the money by June 30, 2012, I would like URI to carry over the funds to 2013. This should not be a problem, as in the legislation H7323 states "Notwithstanding the provisions of section 35-3-15 of the general

laws, all unexpended or unencumbered balances as of June 30, 2012, relating

to URI are hereby reappropriated to fiscal year 2013". Director Hilliard mentioned this because it might be impossible to expend the available

funds by June 30, 2012.

1. Supplemental Request

Request was made for the \$101,701.42. In the FY2013 Budget Bill H7323 for the FY2012 Crime Lab budget was increased by \$71,885.00 leaving a deficit of \$29,816.00 Bill Bolas from the DOA had mentioned in March that another \$26,000.00 was in the Governor's budget which would still leave a deficit of about \$3,816.00.

2. FY2011 close out

There was discussion regarding FY2011 deficit. If the deficit remains, we will find out from URI exactly what they will need from the Commission and the Commission will assist URI in any way they can to reclaim that money if necessary.

b. Byrne/JAG Grant FY 2011

We received about a \$10,000.00 grant from 2011 which paid for our NIBIN technician. As of today that has been expended with a slight deficit which will be transferred to the main Lab FY2012 budget. We have applied for a FY 2012 Byrne Grant, but have not heard anything on this. Director Hilliard explained that it is his understanding that the money available this year will be much less than the money which was granted last year. The money will continue to pay for the NIBIN technician, but it may be necessary, if we do not get the same funding, that we may have to cut the NIBIN technician's hours back from 20 hours a week to 10 hours a week, as there will not be enough money in the FY2013 budget to cover him.

c. Coverdell Grant – FY 2011

This is laid out on the third page of the budget spread sheet. This

was just awarded and we were granted one fourth the amount available which is \$37,374.50. This money must be expended by September 30, 2012. In order to accomplish this Quality Manager and the Quality Officer will be placed on this grant. Once this is exhausted then they will be returned to the FY2013 Laboratory budget. This will create release time funds with the FY2013.

Any questions on the Coverdell Byrne Grants? No questions.

B. Budget FY 2013

a. State Appropriation

The allocation sheet is similar to the FY2012 showing just where the money will be spent. Motion was made that upon signature by the Governor on the proposed budget that the allocations be approved, and that we would hold off tentatively on passing the budget until the Governor signs. Any questions on the allocations?

Mr. Coyne asked about the line reading student help. Director Hilliard explained that they have a student who is NIBIN technician. Mr. Coyne I move to approve the FY2013 budget subject to the Governor's signature. All in favor was yes.

b. Coverdell Grant FY2012

An application has been made for the base fund (\$70,852.00 which is about

\$13,000. less than last year) as well as the competitive funds (\$175,000.00.

for firearms. The funds will be considerably less (10M v. 28M nation-

wide).

C. BUDGET FY2014 Proposal

URI has already asked for a tentative proposal for FY 2014 and basically they were given similar costs as in 2013 plus 3% COLA which is also included in the 2013 budget. We did also ask for funding for some major pieces of equipment that are on the verge of being out of services. Both the GCM and our FTIR with microscope are at the ten year level and generally after 10-11 years the companies stop providing service. Question was how much these pieces of equipment cost? Director Hilliard said that they each cost \$150,000.00. The FY 2014 budget will be reexamined again this summer and then submitted in September with the rest of the University's budget.

D. OTHER SOURCES OF FUNDING

Possible request for use of Google Funds. It has been recommended that the Laboratory put together a list of equipment that is needed and this will be submitted to Mr. Coyne for his review and recommendations on how to best proceed. Another thing is that Our Lady of Fatima High School is closing this year. The science teacher Mary Mora had been very successful in getting Champlin grants to buy brand new equipment for her forensic science program. They have equipment which is only two to three years old and they are closing. The equipment includes some brand new digital microscopes, compound microscope, and comparison microscope. The decision as

to if they can

donate the equipment is determined by Champlin. The principal of the school said she would contact the Champlin people to see what they could do with this equipment if anything. If she can donate it to URI for our purposes, they will do so. Dean Jordan stated that Champlin will not do this unless it relates to student exposure. Director Hilliard discussed that police officers are trained, but Dean Jordan stated that they are more interested in other student populations other than police officers. He also stated that they really want to engage the University students and if you can turn a request in before Our Lady of Fatima High School contacts Champlin letting them know that the equipment will be used not only for high school exposure but also undergraduate exposure as well they might allow the equipment to be transferred to The Laboratory.

III: LABORATORY STATUS

A. Laboratory Progress Report

a. January 1 – June 12, 2012

Progress report was provided. Right now the report is not finalized. It will be on June 30, 2012, and sometime the first week of July it will be sent to the Attorney General. For the most part the case load is down when compared to the same period last year. We still are experiencing what is considered normal case work coming in. In addition to normal work we have been asked to participate in different projects. Neil Clapperton was called by Paul Carnes from the AG's office to help

reconstruct a shooting case which involved a Cranston Police Officer. Ed Downing worked with ICE on illegal fingerprints. Lectures and presentations are done on a regular basis in fact up to June at least 20 exhibits were done between career days of high schools and a variety of people who want to hear about forensic science. Our personnel still are attending meetings and training, some at only the expense of travel.

1. Firearms Section update

There are about 409 backlogged.

Backlog Reduction Letter – last meeting we discussed sending out a letter to each of the Police Departments asking them to review cases which we have pending. To date there have been about 7-8 responses. There is an issue that if the gun comes down and has been test fired it still needs to be placed in NIBIN and I don't think we have done that for all cases. The other question is evidence cartridges that need to be filtered to determine if they are all from the same weapon regardless if the case is closed and then to put the best of one into NIBIN or two if they were from two weapons. Mr. Coyne stated that 80% of the backlog was from Providence. It was suggested that a phone call be placed to Providence to make sure they received the correspondence and that they were working on it. The firearm section was also interviewed by Channel 12 on the airport Gun issue. The examiners will be attending the AFTE training seminar in Buffalo, New York at the end of June.

2. Latent Print Section Update:

There are about 17 cases backlogged. They have been able to catch up. Last meeting the backlog was about 34 cases, and now their last cases are about 60 days out so right now we are back to April. AFIS terminal just received an award from DPSGOA for about \$29,000.00 plus for the purchase of the equipment. Attended the NE Regional Latent Print Form in Connecticut, and they will attend the IAI International symposium in July.

3. Trace Section Update.

There is about a 38 case backlogged which is four months. One examiner will attend the Pattern Evidence Symposium in August which is being held in Tampa Florida and another has applied for an AFT Tool Mark class which is being held in July/August.

B. Laboratory Personnel Badges and Commissions

Last meeting there was discussion with the Commission about Lab personnel obtaining their own badges. A picture of the new design was circulated. The badge is similar to the AG badges with the same logo in the center, except around the edges it states Crime Laboratory Commission as the Agency. Also, instead of placing names on each badge just the title will be listed. If the Crime Laboratory Commission has no issue then Director Hilliard will go ahead and order the badges. The cost is about \$85.00 a piece. Motion was made for approval and all in favor approved.

C. ISO/IEC Accreditation

We did have a desk audit on our ISO accreditation by FQS which

we passed. An onsite accreditation will be performed in 2013. In the FY2013 budget you will see a line item for that purpose.

IV. NEW BUSINESS

A. Future Space Allocation at the University of Rhode Island

Director Hilliard met with a URI planner. They are still thinking of moving The Crime Laboratory to a building in West Kingston. Plans that we previously had from the old RISP project were presented. We would like 30,000 square feet which will include the three sections, administration, and evidence. Question was asked as to how big the building is. The building is 100X150 which is approximately 15,000 square feet. Space which will be assigned to The Crime Laboratory will be limited, as they need space for one Emeritus Professor and three field agent. They will have to reconstruct the building so that the Laboratory gets a majority of the building. A classroom for training is also desired in the new space. There is also space around the building which could be used for expanding the building. Discussion with the planner about a firing range was also brought up and he did not think there was enough space in the building but that we might be able to build something adjacent to it. URI will provide some funding for the renovation. Also, discussion then was on funding from other sources, i.e. Google monies. Mr. Coyne explained that with respect to the Google monies there is a process that whatever is proposed or what State Police propose the DOJ must be notified and they have to sign off on it. He also stated that there is really no final plan right now on how where the funds will be distributed. Focus of the money is going to be on one extent

municipal law enforcement. DOJ has also made it clear that they would like the money to be used on things which will benefit more than one agency. So from that point of view the Crime Laboratory does fit the bill very easily. It looks like at some point there will be funding available for the Crime Laboratory. How much or when is hard to say at this point. State Police would also be on board with monies going to The Crime Laboratory, again with no definite time, or amount being promised. Dean Jordan asked about undergraduate training for individuals with an interest in forensics, and law enforcement and also wants to see The University get back into courses in toxicology. Mr. Coyne stated that DOJ would like to see Rhode Island get the most bang for the buck and that is they don't want to see the money buy something and then in five years this equipment have to be replaced and then there are no funds for it. Director Hilliard stated that Mr. Coyne is his point person and he will forward a list of with costs, etc. Any other business? No

Deputy Attorney Gerald Coyne made a motion to adjourn, with all members in favor; the meeting was adjourned at 2:50 PM

Minutes taken and transcribed by:

Monica A. Nason, Department of Attorney General